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PAGE 01 STATE 050096

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INFO OCT-01 EUR-25 IO-14 ISO-00 EB-11 STR-08 SS-20 AGR-20

CEA-02 CIAE-00 DODE-00 FRB-02 H-03 INR-10 INT-08 L-03

LAB-06 NSAE-00 NSC-07 PA-04 RSC-01 AID-20 CIEP-02

TAR-02 TRSE-00 USIA-15 PRS-01 SPC-03 FEA-02 OMB-01

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STATE/OT/STA/FSHOUP

COM/NBS/WANDRUS

STATE/OT/STA/WADAMS

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R 131601Z MAR 74

FM SECSTATE WASHDC

TO AMEMBASSY BRUSSELS

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USMISSION EC BRUSSELS

AMEMBASSY COPENHAGEN

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INFO USMISSION GENEVA

USMISSION OECD PARIS

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PAGE 02 STATE 050096

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E.O. 11652: N/A

TAGS: EIND, BTRA, BE, GW, DA, EI, NL, UK, LU, FR IT

SUBJECT: EC HARMONIZED STANDARDS' DIRECTIVE ON ELECTRICAL
EQUIPMENT DESIGNED FOR USE WITHIN CERTAIN VOLTAGE
LIMITS (73/23/EEC)

REF: (A) EC A-150, APRIL 15, 1972; (B) STATE A-9672, NOVEMBER
23, 1973; (3) EC A-008

1. COMMERCE HAS RECEIVED COMMENTS AND QUESTIONS ON SUBJECT
DIRECTIVE FROM SEVERAL U.S. ELECTRICAL AND ELECTRONIC INDUSTRY
REPRESENTATIVES WHO STATE WHAT ALTHOUGH U.S. MANUFACTURERS
SHOULD BE ABLE TO COMPLY WITH SPECIFICATIONS OF EC ELECTRICAL
SAFETY STANDARDS, THE ABSENCE OF SPECIFIC REFERENCE IN SUBJECT
DIRECTIVE TO TESTING AND CERTIFICATION PROCEDURES REGARDING
IMPORTS FROM NON-EC COUNTRIES REPRESENTS IMPORTANT POTENTIAL
NON-TARIFF BARRIER. A MAJOR U.S. MANUFACTURER OF ELECTRICAL
PRODUCTS NOTES THE APPARENT LATITUDE AFFORDED EC MEMBER-STATES
IN IMPLEMENTING DIRECTIVE AND CONSEQUENT NECESSITY OF FOLLOWING
CLOSELY EACH COUNTRY'S IMPLEMENTING PRACTICES. WE ASSUME THIS
MATTER IS AS MUCH THE CONCERN OF EC PRODUCERS AS U.S. PRODUCERS.

2. BASIC POSITION OF U.S. ELECTRICAL GOODS EXPORTERS IS THAT IF
U.S. FIRMS MEET EC REQUIREMENTS, THEN UNITED STATES SHOULD
BE AFFORDED ACCESS TO EC MARKETS ON EQUAL BASIS WITH PRODUCERS
IN THE EC REGARDING STANDARDS' REQUIREMENTS. SPECIFICALLY,
U.S. EXPORTERS WOULD PREFER THAT EC ACCEPT EXISTING OR SPECIALLY
DEVELOPED U.S. TESTING AND CERTIFICATION PROCEDURES WITHIN UNITED
STATES AS PROOF OF COMPLIANCE WITH EC STANDARDS, RATHER THAN
SUBMITTING U.S. PRODUCTS FOR TESTING IN EC. THIS POSITION IS
CONSISTENT WITH PROVISIONS OF PROPOSED GATT STANDARDS CODE.

3. EXISTING U.S. PROCEDURES INCLUDE TESTING AND CERTIFICATION
BY ORGANIZATIONS SUCH AS UNDERWRITERS LABORATORIES (UL) WHICH
IS CLOSELY ASSOCIATED WITH U.S. INSURANCE COMPANIES, AND BY U.S.
ELECTRICAL EQUIPMENT MANUFACTURERS. (FYI THERE ARE NO FEDERAL
GOVERNMENT STANDARDS OR ADMINISTRATIVE REQUIREMENTS THAT MUST BE
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PAGE 03 STATE 050096

MET BY FOREIGN MANUFACTURERS PRIOR TO THE SALE OF ELECTRICAL
APPLIANCES IN THE UNITED STATES. POSSIBLE CONSTRAINTS ON THE
SALE OF FOREIGN ELECTRICAL PRODUCTS IN US MAY STEM FROM RE-
LUCTANCE OF SOME U.S. DISTRIBUTORS AND END USERS TO PURCHASE
EQUIPMENT NOT TESTED AND CERTIFIED AS TO SAFETY AND PERFORMANCE
SPECIFICATIONS BY A PRIVATE TESTING LABORATORY SUCH AS UL.
ALSO, CERTAIN LOCAL MUNICIPALITIES AND INSURANCE COMPANIES REQUIRE
PRODUCT CERTIFICATION BY A PRIVATE TESTING ORGANIZATION SUCH AS

UL, AS A CONDITION TO SALE OR FOR INSURANCE COVERAGE. REQUIREMENTS FOR TESTING AND CERTIFICATION BY UL ARE SIMILAR FOR U.S. AND FOREIGN PRODUCTS. UL TESTS CONSUMER AND INDUSTRIAL PRODUCTS).

4. AT PRESENT THERE IS NO GOVERNMENTALLY RECOGNIZED U.S. TESTING OR CERTIFICATION ORGANIZATION. PRODUCTS MADE IN THE EC ARE BEING TESTED AND ACCEPTED BY UL AND OTHER TESTING GROUPS. UL CONDUCTS AN INITIAL INSPECTION OF A SAMPLE PRODUCT, A GROUP OF SAMPLES, OR, IN SOME CASES, AN ENGINEERING DRAWING IN ITS MELVILLE, NEW YORK PLANT. IF THE PRODUCT IS RELATIVELY COMPLEX OR BULKY, UL EXPERTS MAY INSPECT IT AT THE MANUFACTURER'S PLANT, IF THAT MANUFACTURER REQUESTS THIS PROCEDURE AND BEARS THE EXPENSE. IF APPROVED, THE FOREIGN PRODUCT WOULD BE ALLOWED TO BEAR THE UL SAFETY LABEL. TO RETAIN THE LABEL, PERIODIC INSPECTIONS AND CERTIFICATIONS CAN BE MADE BY FOREIGN INSPECTORS UNDER AGREEMENT WITH UL IN THE PLANT OF THE EC MANUFACTURER WITH COSTS BEING PAID BY THE MANUFACTURER.

5. SECTION 6D OF THE U.S. INTERNATIONAL VOLUNTARY STANDARDS COOPERATION BILL NOW BEFORE CONGRESS WOULD, IF PASSED, ENABLE THE SECRETARY OF COMMERCE TO ESTABLISH A SYSTEM FOR THE EVALUATION AND ACCREDITATION OF PRIVATE DOMESTIC ORGANIZATIONS WHICH CONDUCT TESTS OR EVALUATE TEST PROCEDURES OF OTHER ORGANIZATIONS FOR PURPOSE OF DOCUMENTING COMPLIANCE WITH STANDARDS. THIS LEGISLATION WAS PASSED ONLY BY THE SENATE DURING LAST SESSION, AND WAS REINTRODUCED IN MAY 1973. IT IS ANTICIPATED THAT HOUSE HEARINGS WILL BE HELD SHORTLY.

6. MISSION IS REQUESTED TO CLARIFY THE FOLLOWING SPECIFIC ISSUES:

A. WHAT ARE THE PROCEDURES FOR THE MANUFACTURER'S DECLARATION OF CONFORMITY, AND TESTING AND CERTIFICATION MARKS, THAT WILL BE ACCEPTABLE REGARDING IMPORTS FROM THE UNITED STATES? (MISSION LIMITED OFFICIAL USE

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PAGE 04 STATE 050096

SHOULD REFER TO GUIDELINES CONTAINED IN REF. (B), PARTICULARLY SECTIONS II B1, II B2, II B3, AND II B6). WILL CERTIFICATION BE REQUIRED FOR IMPORTS FROM U.S. OF MADE-TO-ORDER PROJECTS SUCH AS ELECTRICAL INSTALLATIONS IN STEEL MILLS, COMPUTER AND COMMUNICATIONS SYSTEMS? IF SO, HOW WILL CERTIFICATION BE OBTAINED?

B. DOES SUBJECT DIRECTIVE APPLY TO MECHANICAL SAFETY, ACOUSTICAL SAFETY, AND ELECTROMAGNETIC INTERFERENCE? WILL SAFETY PROVISIONS APPLY TO BOTH HOUSEHOLD AND INDUSTRIAL EQUIPMENT?

C. WHAT BTN CATEGORIES ARE COVERED BY SUBJECT DIRECTIVE?

7. EMBASSIES ARE REQUESTED TO REPORT ON OMPLEMENTATION BY EC MEMBER-STATES OF SUBJECT DIRECTIVE, DRAWING PARTICULARLY ON INDUSTRY CONTACTS.

8. PETER R. LEVIN, MANAGER, TRADE POLICY RESEARCH, GENERAL
ELECTRIC COMPANY, EXPECTS TO BE IN LONDON, MARCH 15-20;
BRUSSELS, MARCH 21-22; PARIS, MARCH 23-30; GENEVA, APRIL 1-2, AND
THE HAGUE, APRIL 5, AND MAY WISH TO DISCUSS MATTER WITH MISSION
AND EMBASSY OFFICERS. FOR BONN: LEVIN ALSO WILLING TO GO TO BONN
FROM EITHER PARIS OR GENEVA, MARCH 23 - APRIL 2, IF EMBASSY
DEEMS USEFUL.
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